

REQUEST FOR REVIEW
before the
FEDERAL COMMUNICATIONS COMMISSION

CC Docket No. 02-6

Re: Applicant Name: LOWER YUKON SCHOOL DISTRICT
Billed Entity No: 145592
Funding Year: 2009-2010
Form 471 Application No.: 875747
Funding Request Number: 2390912

ERRATA

Lower Yukon School District, by and through its attorneys, Jermain Dunnagan & Owens, hereby submits this errata to correct an error in the District's Request for Review dated June 18, 2012. On page 9 of the Request for Review, last paragraph, last sentence, the Funding Year should be 2009, not Funding Year 2008. The attached revised page should replace page 9 in the original filing.

RESPECTFULLY SUBMITTED this 19th day of June, 2012.

JERMAIN DUNNAGAN & OWENS, P.C.
Attorneys for Lower Yukon School District

By: _____

Saul R. Friedman
ABA No. 7205010

LAW OFFICES OF
JERMAIN DUNNAGAN & OWENS
A PROFESSIONAL CORPORATION
3000 A STREET, SUITE 300
ANCHORAGE, ALASKA 99503
(907) 563-8844
FAX (907) 563-7322



This outreach requirement should also be extended to applicants who have not filed their Form 471 within the relevant filing window deadline. This would be especially true in this case where USAC knew that the District had entered into a three funding year contract for internet maintenance services; knew that a timely First Funding Year Form 471 had been submitted and approved; and should have reasonably considered that applicants might not understand that a subsequent funding year Form 471 would still be required even though funding was based on an approved RFP, and an approved three funding year contract.

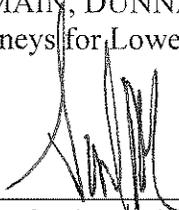
V. CONCLUSION

The FCC has recognized that “waiver is appropriate if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general.”¹² Failure to receive the funds at issue in this matter has had a significant, detrimental impact on the District and its mostly Alaska Native students. With no choice but to use other funds to replace denied E-rate funding, other educational needs of the District have been adversely affected.

The factual circumstances of this case warrant the FCC granting the appropriate rule waiver so that the matter can be remanded to the USAC with a direction that full funding for FRN: 1572016 Funding Year 2009 be approved.

DATED at Anchorage, Alaska, this 18th day of June, 2012.

JERMAIN, DUNNAGAN & OWENS, P.C.
Attorneys for Lower Yukon School District

By: 
Saul R. Friedman

¹² Alaska Gateway School District, SLD-412028 at para. 5.